

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

‘ILIO‘ULAOKALANI)	CV. NO. 04-00502 DAE-BMK
COALITION, a Hawaii nonprofit)	
corporation; NA ‘IMI PONO, a)	
Hawaii unincorporated association;)	
and KIPUKA, a Hawaii)	
unincorporated association,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
ROBERT M. GATES, Secretary of)	
United States Department of)	
Defense; and PETE GEREN,)	
Secretary of the United States)	
Department of the Army,)	
)	
Defendants.)	
_____)	

JUDGMENT IN A CIVIL CASE

On December 29, 2006, this Court issued an Order Setting Interim Injunction, enjoining Defendants from implementing, executing, or proceeding with various activities, including grading, land acquisition, and unexploded ordinance clearance, for the term of the interim injunction. (Doc. # 168.) In that

Order, the Court stated that the injunction would “remain in place until either Defendants have complied with the National Environmental Policy Act, or the parties return to this Court with changed circumstances.” (Id. at 2.)

On April 15, 2008, Defendants filed their Notice of Record of Decision, notifying the Court and Plaintiffs that the Army had complied with the National Environmental Policy Act and released a draft environmental impact statement. (Doc. # 255.) In their Notice, Defendants state that Hawaii was selected as the location to permanently station the 2nd Brigade, 25th Infantry Stryker Brigade Combat Team. (Id. at 2-3.)


On September 23, 2009, this Court issued an order to show cause why judgment should not be entered, as it appeared that the requirements of this Court’s and the Ninth Circuit’s orders had been met. (Doc. # 256.) On October 7, 2009, Plaintiffs filed their response, indicating that entry of judgment would be appropriate. (Doc. # 258.) That same day, Defendants filed a response which likewise agreed that the terms of the interim injunction had been satisfied and judgment should be entered. (Doc. # 257.)

Accordingly, this Court orders the Clerk of Court to enter judgment in this case. The action is hereby dismissed.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, November 2, 2009.





David Alan Ezra
United States District Judge

Ilio`ulaokalani Coalition et al. v. Gates et al., CV No. 04-00502 DAE-BMK;
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